

## **EPA – FFY10 (SFY11) Funding Requirements**

### ***Davis-Bacon Requirements***

The provision in the Appropriation Bill states that: “For fiscal year 2010 the requirements of section 513 of the Federal Water Pollution Control Act (33 U.S.C. 1372) shall apply to the construction of treatment works carried out in whole or in part with assistance made available by a State water pollution control revolving fund as authorized by title VI of that Act (33 U.S.C. 1381 et seq.), or with assistance made available under section 205(m) of that Act (33 U.S.C. 1285(m)), or both.” “For fiscal year 2010 the requirements of section 1450(e) of the Safe Drinking Water Act (42 U.S.C. 300j-9(e)) shall apply to any construction project carried out in whole or in part with assistance made available by a drinking water treatment revolving loan fund as authorized by section 1452 of that Act (42 U.S.C. 300j-12).” Regarding the assistance agreements affected by this provision, the procedures are found in the EPA memorandum of November 30, 2009, subject: “Application of Davis-Bacon Wage Act Requirements to Fiscal Year 2010 CWSRF and DWSRF Assistance Agreements” (Attachment 5).

EPA is also adding the attached terms and conditions regarding wage rate requirements to all CWSRF and DWSRF FY 2010 capitalization grants. Additional information on compliance with the Davis-Bacon requirements is included in Attachment 6. In FY 2010, EPA will provide, as needed, additional technical assistance.